

**CALFRESH REQUEST FOR POLICY INTERPRETATION****PI# 17-85**

**INSTRUCTIONS:** Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. If additional space is needed, please use the second page. Retain a copy for your records and submit via email to CalFresh-PI@dss.ca.gov.

**Please note:** the policy interpretation provided is based on the unique set of facts presented and should not be assumed to apply in all scenarios.

1. RESPONSE NEEDED DUE TO: <input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Other:		5. DATE OF REQUEST: 10/04/2017	NEED RESPONSE BY: 10/13/2017
2. REQUESTOR NAME:		6. COUNTY/ORGANIZATION: Madera County DSS	
3. PHONE NO.:      EMAIL:		7. SUBJECT: Transitional CalFresh	
4. REGULATION CITE(S): 63-321		8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references) <b>NOTE: All requests must have a regulation cite(s) and/or a reference(s).</b> ACL 03-66, 11-70, 12-35, 13-88; ACIN I-21-04, I-34-05, I-75-05, I-58-08, I-50-12	

9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):

- 1.) Is TCF based on the budget in the month of CW discontinuance even if the budget was incorrect?
- 2.) Is there TCF eligibility if there were no eligibility to CF in the month of CW discontinuance however the customer did receive CF benefits?
- 3.) Does the TCF get included in an OI?

Scenario: CW/CF case with 8/2016 application date. HH consists of child and two grandparents. Grandparents are both ineligible due to SSI. CW and CF allowed for child only. 3/2017 grandparents request discontinuance of CW. CW discontinued 3/31/17 and TCF allowed 4/1/17. In August the TCF RE is completed and the EW discovers that the Grandparents were not SSI but instead receiving Retirement benefits and should have been part of the CF HH since application. There is an OI established from BDA.

10. REQUESTOR'S PROPOSED ANSWER:

- 1.) TCF is based on the budget in the month the CW discontinues, even if the benefit amounts are incorrect.
- 2.) TCF would be established based on the CF amount issued the month of discontinuance minus the CW grant. The TCF was computed correctly based on the CF budget in the final month of CW receipt.
- 3.) TCF would not be included in the OI.

11. STATE POLICY RESPONSE (CFPB USE ONLY):

- 1) Correct. According to 7 CFR Section 273.27, TCF is based on the budget in the month the CW discontinues, even if the benefit amounts are incorrect.
- 2) Also found in 7 CFR Section 273.27, it is correct for the CWD to establish the HH's TCF based on the CF amount issued the month of discontinuance minus the CW grant. According to the facts above, the TCF was computed correctly as it was based on the CF budget in the final month of CW receipt.
- 3) TCF would not be included in the OI because at the time the TCF was calculated, the amount was presumed correct based on the existing information and verifications from the HH available to the CWD at the time.

**FOR CDSS USE**

DATE RECEIVED:

10/10/2017

DATE RESPONDED TO COUNTY/ALJ:

11/09/2017